

REMARKS

In response to the Office Action mailed February 7, 2006, Applicants respectfully request reconsideration. Claims 1-133 were pending. In the Preliminary Amendment filed on November 25, 2005, claims 51 and 53-126 had been cancelled. In the present Office Action, claims 1-23, 25-49, 52, 127, 128 and 131 stand rejected and claims 24, 50, 129, 130, 132 and 133 have been indicated to be allowable. In response, Applicants have amended claims 1, 25, 27 and 127 and have added claims 134-181. No new matter has been added.

Claims Indicated Allowable

In the Office Action, claims 24, 50, 129, 130, 132 and 133 have been indicated to be allowable if re-written in independent form including all of the limitations of the base claim and any intervening claims.

Applicants have re-written claim 24 to include the limitations of claim 1 and now presents the re-written claim as new claim 137. Claims 138-159 have been added to depend from new claim 137, with claims 138 and 139 including the indicated-allowable subject matter of claims 129 and 130, respectively. Also, Applicants have re-written claim 50 to include the limitations of claim 27 and now presents the re-written claim as new claim 160. Claims 161-181 have been added to depend from new claim 160, with claims 161 and 162 including the indicated-allowable subject matter of claims 132 and 133, respectively.

Accordingly, claims 137-181 should be in condition for allowance.

Interview Summary

The Applicants' undersigned representative, Neil Ferraro, thanks Examiner Stashick for the courtesy extended during a Telephone Interview held on February 23, 2006. A summary of the substance of the Interview is presented in the below discussion.

During the Interview, the primary reference to Datson (US Patent 4,856,207) and the features of the claims believed to distinguish Datson were discussed. In this regard, the Applicants indicated that the claimed feature of both the first and second laces being disposed at the upper

region is believed to adequately distinguish the reference because Datson fails to teach any portion of its lower lace being disposed at the upper region.

The Examiner indicated his view that the noted claim language broadly read on Datson in that Datson disclosed a lower lace being disposed at the boarder of the upper region. The Examiner then suggested that amending the claims to recite that the laces have portions that extend to an upper part of the upper region would overcome the rejection. While the Applicants agreed that such an amendment would further distinguish the reference, the Applicants indicated their intent to include this feature in dependent claims rather than to amend the independent claims in this manner.

The Examiner and the Applicants next discussed changing the claims to recite that the laces have portions being disposed in the upper region, rather than at the upper region, to clarify the distinction between the claims and Datson. In this regard, although the Applicants believe that the claims adequately distinguish Datson, to address the Examiner views that Datson anticipates the claims because Datson discloses the lower lace being disposed at the border of the upper region, the Applicant agreed to make the change. The Examiner indicated that such a change would overcome the rejection.


Independent claims 1, 27 and 127 have been amended accordingly. As such, the rejection of these claims, as well as the claims depending respectively therefrom, in view of Datson alone or in combination with the other applied references, should be withdrawn and the claims should be allowed.

Conclusion

The application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this response, that the application is not in condition for allowance, the Examiner is requested to call the below representative at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. The Applicants believe that no fee is due even with the addition of the new claims. If, however, there is a fee occasioned by this response, including an extension fee, please charge Deposit Account No. 23/2825.

Respectfully submitted,

By 

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